

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the following date: 11-8-06 Name: Richard G. Lione, Reg. No. 19,795 Signature: [Signature]

1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Appln. of: Yasuyoshi Ueda et al.

Appl. No.: 10/501,669

Filed: January 7, 2005

For: UBIQUINOL-ENRICHED FAT-CONTAINING FOODS

Attorney Docket No: 5404/80

**BRINKS
HOFER
GILSON
& LIONE**

Examiner: Not Assigned

Art Unit: 1761

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal (in Duplicate); Third Supplemental Information Disclosure Statement; Form PTO-1449; and a Copy of Each Listed Reference for Which a Copy is Required.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|----------------------------------|-------|---------------------------------|---------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 100= | | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | | +\$360= | |
| | | | | | Total | \$ | | Total | \$ |

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

11-8-06
Date

Respectfully submitted,

[Signature]
Richard G. Lione (Reg. No. 19,795)



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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER Number-Kind Code (if known) | DATE | APPLICANT |
|---|------------|-----------|
| EP 0 659 402 A2 | 06/28/1995 | EPO |
| JP 7-196534 A | 08/01/1995 | Japan |

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Copy and English Translation of the Office Action from Application No. 2004125170/13 (027540) in the Patent Office of the Russian Federation, dated October 18, 2006, 5 pages.

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2).

Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other

information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

11-8-06

Date

Richard G. Lione

Richard G. Lione (Reg. No. 19,795)



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|--|--------------------------------|------------------------|
| FORM PTO-119 | SERIAL NO. 10/501,669 | CASE NO. 5404/80 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary) | FILING DATE January 7, 2005 | GROUP ART UNIT 1761 |
| APPLICANT(S): Yasuyoshi Ueda et al. | | |

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|---------------------|--|------|------|--------------------|----------------|
| | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
|---------------------|--|-----------------|------------|--------------------|--------------------------|
| | D1 | EP 0 659 402 A2 | 06/28/1995 | EPO | |
| | D2 | JP 7-196534 A | 08/01/1995 | Japan | Abstract |

| EXAMINER INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small> | | | | |
|---------------------|--|--|--|--|--|
| | D3 | Copy and English Translation of the Office Action from Application No. 2004125170/13 (027540) in the Patent Office of the Russian Federation, dated October 18, 2006, 5 pages. | | | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.